

Interim Guidance - Creditable Service for Annual Leave Accruals

References:

- OPM Compensation Policy Memo CPM 2004-22, dated November 1, 2004, Federal Workforce Flexibility Act of 2004
- Federal Register Notice, Vol. 70, No. 82 dated Friday, April 29, 2005, 5 CFR Part 630, Absence and Leave; Creditable Service
- OPM Website <http://www.opm.gov/oca/compmemo/2005/2005-07.asp>, Creditable Service for Annual Leave Accrual
- DOC Interim Guidance on Creditable Service for Annual Leave Accruals, dated May 05, 2005

Background: On April 29, 2005, the Office of Personnel Management (OPM) issued interim regulations to implement Section 202(a) of the Federal Workforce Flexibility Act of 2004 (Public Law 108-411 effective October 30, 2004). Section 202(a) of the Act adds a new paragraph (e) to 5 U.S.C. 6303 to provide that a newly appointed employee's prior non-Federal work experience may be creditable in determining the amount of annual leave the employee will earn each biweekly pay period. Qualified non-Federal work experience must have been performed in a position with duties that directly relate to the position to which he or she is being appointed and must meet other requirements as prescribed by OPM. This provision became effective on April 28, 2005.

Until OPM issues final regulations, the Department provided interim guidance to bureaus for use in determining if an individual's prior non-Federal work experience or active duty uniform service is creditable for the purpose of determining his or her annual leave accrual rate.

Authority: The authority for administering this provision of the Act is redelegated to the Client Services Office Director with no further redelegation.

Coverage: This provision is applicable for:

- a) a newly appointed employee or an employee who is reappointed following a break in service of at least 90 calendar days from the date of his or her last period of Federal civilian employment; and
- b) non-Federal service or active duty uniformed service that otherwise would not be creditable for the purpose of determining his or her annual leave accrual rate.

Requirements: To be creditable, requests must meet both of the following conditions:

- a) The skills and experience the employee possesses are essential to the new position and were acquired through performance in a non-Federal position having duties that directly relate to the duties of the position to which he or she is being appointed; and
- b) The use of this authority is necessary to achieve an important agency mission or performance goal.

Mission Critical Occupations: The Department has identified mission critical occupations as part of its Human Capital Initiative in the Recruitment and Retention Plan. These are the occupations for which a bureau may approve credit for an employee's annual leave accrual rate. A bureau may request that additional occupational series be added by submitting justification as to why the series is mission critical.

- 0110 – Economist
- 0301 – Miscellaneous Administration and Program Management
- 0343 – Management Analyst
- 0482 – Fishery Biology
- 0855 – Electronic Engineer
- 0905 – Attorney
- 1101 – General Business and Industry
- 1140 – Trade Specialist
- 1224 – Patent Examining
- 1301 – General Physical Scientist
- 1310 – Physics
- 1315 – Hydrology
- 1320 – Chemistry
- 1340 – Meteorology
- 1360 – Oceanography
- 1529 – Mathematical Statistician
- 1530 – Statistician
- 1550 – Computer Science
- 1801 – General Inspections, Investigations and Compliance
- 2210 – Information Technology Specialist

To submit requests for additional series, provide the following to the Workforce Management Office, Policies and Program Management Office, Staffing Program Manager for submission to the Department:

- Series
- Justification to include why the series is mission critical, e.g., mission goal in the strategic plan, part of the annual operating plan, etc.
- Line or staff office making the request
- Contact Name and Phone Number, if additional information is needed

Documentation: In order to provide service credit for non-Federal work experience, the supervisor or manager making the request must include the following:

- 1) A statement that indicates:
 - the skills and experience the employee possesses that are essential to the new position;
 - why the use of this authority is necessary to achieve an important agency mission or performance goal;
 - the inclusive dates of the period of time covering the experience to be credited; and
 - the duties the employee performed in the non-Federal position that are directly related to the duties of the position to which the employee is being appointed.

- 2) A copy of the PD or statement of duties the employee will perform, if appointed.
- 3) A written document from the employee that outlines prior work experience, e.g., resume.
- 4) A copy of the signed service agreement.

The documentation should be submitted to the servicing Workforce Management Office which, in turn, will conduct an analysis to ensure the request meets the requirements of the program. The servicing Workforce Management Office will submit the request with a recommendation for approval or disapproval to the Client Services Office Director.

Approval must be received prior to the employee being appointed to the position.

Servicing Workforce Management Offices are required to keep a record of each request along with the supporting documentation for a period of 5 years from the date of appointment to allow for reconstruction of each action.

Service Agreement: Attached to this interim guidance is a copy of the service agreement. The service agreement is used to explain what happens to the annual leave accrued and service credit if the employee leaves the agency or separates from Federal service. Additionally, the service agreement is also used to document the service in place of the SF-144A. A copy of the service agreement must be filed on the right hand side of the employee's Official Personnel Folder to document the approval and service credit.

Documenting the Personnel Action: The period of non-Federal service or active duty uniformed service being credited must be included in Block 31 (Service Comp Date (Leave)) of the SF-50 that effects the appointment of the individual with the agency. The following remark codes must be included on the SF-50, as appropriate:

B73 – You are receiving (enter yrs and mos., e.g., “2 yrs, 6 mos.”) credit towards your SCD – Leave as shown in Block 31 for non-Federal service from (date) to (date). This credit will not hereafter cease to be creditable unless you fail to complete 1 full year of continuous service with this agency.

B74 – You are receiving (enter yrs and mos., e.g., “2 yrs, 6 mos.”) credit towards your SCD – Leave as shown in Block 31 for active duty uniformed service from (date) to (date). This credit will not hereafter cease to be creditable unless you fail to complete 1 full year of continuous service with this agency.

M39 - Creditable Military Service (enter yrs and mos., e.g., “6 yrs, 7 mos.”). (Include in remark M39 the total of all periods of active duty uniformed service for which the employee is receiving credit towards the Service Computation Date (SCD) for leave)

Additionally, a copy of the completed service agreement should be filed on the right hand side of the employee's OPF.

Service Computation Date for Leave: Once approval has been received, the servicing Workforce Management Office must adjust the Service Computation Date for Leave to include the period of service approved. The amount of service credit granted to an employee is left to the discretion of the head of the agency or designee. The Department has indicated we will use the OPM Guide to Processing Personnel Actions, Chapter 6, Subchapter 1, for the amount of service to be credited. Once the SCD for Leave has been changed in the NFC system, the Human Resources Assistant should contact the appropriate timekeeper and provide the correct accrual rate for entry into the timekeeping software. **PLEASE NOTE: This service is creditable for annual leave accrual purposes only.**

Time and Attendance Records: Once the SCD for Leave has been adjusted in the NFC system by the servicing Workforce Management Office, the timekeeper must be notified of the change along with the appropriate accrual rate. A copy of the approved documentation must be sent to the Timekeeper for the T&A file and a copy must be sent to the Workforce Management Office, Client Services Office, OAR/NESDIS Division, Time and Attendance Branch in Boulder, Colorado. Timekeepers may need to make the following adjustments:

1. **For DOS T&A users** – On the Leave Balance Screen (F4) under the Accrued category, make sure the higher annual leave accrual rate is reflected. If not, enter the higher annual leave accrual rate to be credited to the employee. After this first adjustment, timekeepers should not have to make any additional adjustments on future T&A records.
2. **For WEBTA users** – To properly credit an employee with a higher annual leave accrual rate, on the Employee T&A Profile, Service Computation Date (SCD), enter the employee's new SCD for Leave. This will generate the new higher annual leave accrual rate in the Leave Data screen.

If any adjustments are needed in the NFC system via TING, the Workforce Management Office, Client Services Office, OAR/NESDIS Division, Time and Attendance Branch located in Boulder, Colorado will work with the individual Timekeeper and make any necessary adjustments.

NOTE: If the timekeeper does not make the adjustment to the accrual rate in the same pay period that the servicing WFMO does, the timekeeper will need to adjust the employee's brought forward balance for annual leave to equal the difference in the accrual rate times the number of pay periods for which the change was effective. For example, if the change was effective PP 06 to change the accrual rate from 4 hours to 6 hours of annual leave and the timekeeper does not make the change until PP 08, the timekeeper will need to add 4 hours to the brought forward annual leave balance (2 additional hours x 2 pay periods = 4 hours).

Leaving the Agency – Disposition of Annual Leave Accrued and Service Credit: If the employee fails to complete 1 full year of continuous service with the agency:

- 1) Any annual leave accrued or accumulated by the employee remains to the credit of the employee. If the employee is transferring to a position in another Federal agency to which annual leave may be transferred, the leave is transferred with the employee. If the employee is transferring to a position in another Federal agency to which annual leave is not transferable or separating from Federal service, the servicing Workforce Management Office must process a lump-sum payment for unused annual leave.

2) Prior to processing the personnel action that separates the employee from Federal Service or transfers the employee to another Federal agency, the servicing Workforce Management Office must process a personnel action to change the employee's SCD for Leave (NOA 882/Change in SCD) subtracting out the referenced credit. The NOA 882/Change in SCD must include remark code B75 (Changes SCD – Leave from (date) because employee failed to complete 1 full year of continuous service with the appointing agency). Alternatively the servicing Workforce Management Office may choose to process both the NOA 882/Change in SCD and the separation action on the same SF-50. If the servicing Workforce Management Office processes both actions on the same SF-50, NOAA 882/Change in SCD must be shown in Blocks 5-A and 5-B and the separation action in Blocks 6-A and 6-B.

If the employee completes 1 full year of continuous service with the agency, the period of service for which he or she was granted service credit for his or her non-Federal or active duty uniformed service work experience is permanently creditable for the purpose of determining his or her annual leave accrual rate for the duration of the employee's career. No further action is required by the servicing Workforce Management Office.

Oversight: Periodic reviews may be conducted by the Department or the NOAA Workforce Management Office to ensure this authority is being used properly and records are being retained in accordance with this guidance.

Approved:

Date:



January 6, 2006

Eduardo J. Ribas
Director, Workforce Management Office

**NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION
CREDITABLE SERVICE FOR ANNUAL LEAVE ACCRUALS SERVICE AGREEMENT**

Employee: _____ SSN: _____

Position: _____ Pay Plan/Series/Grade: _____

Line/Staff Office: _____

I understand that as a newly appointed or reappointed employee with a break in service of at least 90 calendar from the date of my last period of Federal civilian appointment, I may receive service credit for prior non-Federal service or active duty uniformed service that otherwise would not be creditable for the purpose of determining my annual leave accrual rate. Credit for non-Federal service or active duty uniformed service is granted upon the effective date of my initial appointment or reappointment to Federal service.

I understand that credit granted for non-Federal service or active duty uniformed service remains to my credit unless I fail to complete 1 full year of continuous service with the appointing agency. If I separate from Federal Service or transfer to another Federal agency prior to completing 1 full year of continuous service with the appointing agency, I am not entitled to retain service credit for prior non-Federal service or active duty uniformed service. I also understand the agency must subtract the additional service credit from the Service Computation Date for Leave purposes and a new service computation date for leave must be established before I separate or transfer to a new agency.

EMPLOYEE SIGNATURE _____ DATE _____

| Creditable Service for Non-Federal Service or Active Duty Uniformed Service under 5 U.S.C. 6303 | | | | | | |
|---|--|-------|-----|---|-------|-----|
| Name of Organization or Uniformed Service Component | Beginning Date directly related experience began | | | Ending Date directly related experience ended | | |
| | Year | Month | Day | Year | Month | Day |
| | | | | | | |
| Total of Beginning Dates | | | | | | |
| Total of Ending Dates | | | | | | |
| Additional Service Credit for Leave Years/Months (excess days dropped) | YRS | | MOS | | | |
| Remarks: | | | | | | |
| Name of Person Computing Creditable Service: | | | | | Date: | |
| Date Approved by Client Services Office Director | | | | | Date: | |

cc: Employee's Official Personnel Folder